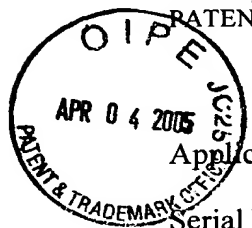


AF ZZW

Attorney Docket No. 509/35644

APR 4 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hawthorne et al.

Serial No.: 09/404,826

Art Unit: 2122

Filed: September 24, 1999

Examiner: Kiss, Eric B.

For: METHOD OF TRANSFERRING FILES AND ANALYSIS OF TRAIN OPERATIONAL DATA

**NOTICE OF APPEAL**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

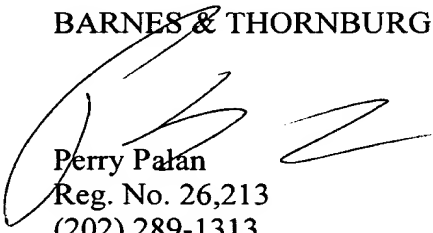
Sir:

In response to the final Office Action dated January 4, 2005, Applicant appeals the final rejection of Claims 1-4, 7, 9, 10, 15-21 and 46-49. A Notice of Appeal with the required fee was previously filed November 14, 2003. Before filing a brief, a Request for Continued Examination was filed. Since the appeal fee was previously paid and no appeal resulted, an additional fee is not due.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages in other fees be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg, Deposit Account No. 02-1010 (509/35644).

Respectfully submitted,

BARNES & THORNBURG

  
Perry Palan  
Reg. No. 26,213  
(202) 289-1313

Enclosure